

**TOWN OF DAVIE
WORKSHOP MEETING
NOVEMBER 14, 2003**

The meeting was called to order at 12:17 p.m. Present were Mayor Truex, Vice-Mayor Starkey, Councilmembers Crowley, Hubert and Paul. Also present were Town Administrator Willi, Attorney Parke, and Town Clerk Muniz recording the meeting.

Senator Geller advised that he usually held a meeting in every city he represented and his meeting with the Town's residents was scheduled for January 12th. He invited Council to contact him at any time to discuss issues of concern and advised that his law office was the best number to reach him.

Senator Geller advised Council about various committees he served on including: the National Council of Legislators from Gaming States, the National Conference of Insurance Legislators, the Senate Comprehensive Planning Committee, which handled local government issues, the Banking and Insurance Committee, the Finance and Tax Committee, the Transportation Committee, and the Rules Committee. He also served as Chair of the Mainstream Democratic Forum.

Senator Geller indicated that one way his office had given tax cuts was by shifting tax responsibility burdens down from the federal through the State, then through the local governments. He advised Council that its financial burdens were increasing as a result. Senator Geller advised that cutbacks in educational funding were not helping Davie, but explained that he was doing what he could to generate more funds. Regarding education, he explained that under State law, community colleges allowed all applicants in but they could not all get into classes, as additional instructors were not budgeted. Regarding growth management issues, Senator Geller discussed the League of Cities recent activities and stated that Miramar, Cooper City, Hallandale and Hollywood were unhappy about land use issues. He advised that Broward County was currently trying to do site plan approval over every development in the county - using Davie as an example. Senator Geller further advised that the Transportation Committee had no funds but that he would be happy to try to help the Town with any issues he could.

Mayor Truex referred to the list of local bills and asked Senator Geller about the item referring to the United Ranches neighborhood. He asked whether Senator Geller had a position on the lawsuit and on this issue. Senator Geller felt that residents should have the right to choose where they wanted to go. He indicated that he did not agree with Cooper City's position.

Vice-Mayor Starkey referred to legislation from the previous year on the definition of enclaves. She wished to have the language with regard to the definition of enclaves be discussed carefully, as this had contributed to the current problem. Vice-Mayor Starkey asked if a straw ballot was to be taken, with the United Ranches residents choosing to come into Davie, would the legislature recognize and support their vote. Senator Geller indicated that instead of honoring a straw ballot, the legislature would probably pass a bill stating that there would be an election, and would then honor whatever decision was made. He felt that the County's statewide annexation policy was a laughingstock with regard to the way it currently worked. Senator Geller indicated that there would eventually be a statewide annexation policy, but cautioned that this would not be in place until 2010 or 2012. He asked the Council to ask its lobbyists to remind him about the definitions.

TOWN COUNCIL WORKSHOP
NOVEMBER 14, 2003

Mayor Truex asked about the Pine Island Ridge annexation and if the legislature would support the residents if the majority wished to incorporate. Senator Geller indicated that this would probably be supported. He explained that regarding areas where residents had a legitimate choice, the legislature would probably try to honor the wishes of residents.

Vice-Mayor Starkey stated that Southwest Ranches had a very small tax base and that it would become more expensive for that community in the long term when new tax assessments were made. Senator Geller stated that he did not think the Southwest Ranches decision made sense. Mayor Truex stated that with smaller cities, the constituents were closer to the government.

An unidentified man asked about proposed local bill with regard to Southwest Ranches. Senator Geller advised that the particular bill and any issues currently in litigation would not be heard until the litigation was resolved.

Vice-Mayor Starkey asked Senator Geller if he would be willing to sponsor an annexation if the lawsuit was resolved. Senator Geller responded that he would be happy to do this, but cautioned that Council should be aware of time constraints. He advised that if the lawsuit was resolved by January, it could possibly be handled within the same year.

Vice-Mayor Starkey referred to the Broadview Estates annexation issue and indicated that she had been approached by different residents from that area. She felt it was more logical for those residents to go to Plantation, but felt that Council should stay with its general feeling to allow residents to have their own choice.

Senator Geller stated that Plantation was still reluctant to accept Broadview Park, as far as he knew. He indicated that the State annexation bill he was working on would allow a group of residents to petition for a hearing and would try to have dispute resolution between adjacent cities. Senator Geller stated that at some point, government needed to recognize that smaller, poorer enclaves in Broward would not continue to survive on their own as their financial burdens increased over the years. He felt government had to do something to resolve this problem.

Senator Geller encouraged Council to inform him further about any problems with language that may prevent the residents of United Ranches to annex into Davie.

Councilmember Crowley asked about a bill being proposed by Representative Nan Rich about eliminating the one-acre per vote system in favor of a popular election, with regard to the drainage district to the west. Senator Geller stated that he had a problem with the one acre per vote system and did not see why drainage districts should be governed differently than a municipality. He stated that he would be in favor of a one person per vote system. Councilmember Crowley stated that he was of the same opinion and wished to see all districts use the same criteria.

Vice-Mayor Starkey advised that the Water and Environmental Advisory Board had made some recommendations and passed resolutions, which she would forward to Senator Geller.

Senator Geller referred to the Council of 100 which was an organization that wanted to take water from the water-rich areas of north Florida and divert them through pipelines down to other areas in need. He advised that the environmental community and the residents of

TOWN COUNCIL WORKSHOP
NOVEMBER 14, 2003

north Florida were unhappy about this. Senator Geller further advised that Governor Bush had recently voiced support for this plan.

Councilmember Paul asked for an update on decisions related to gaming issues. Senator Geller stated that he was a strong supporter of additional para-mutual gaming as he felt it historically generated many jobs and agricultural business opportunities in the State. He advised that the Florida para-mutual gaming industry would not be able to sustain itself against competition from other states unless more legislation was added to raise money for this industry. Senator Geller advised that he had suggested additional legislation to raise approximately \$2 billion for only the licensed para-mutual enterprises. He advised that the previous year, a bill was passed permitting card rooms in the para-mutuals.

Councilmember Paul asked whether the proposed legislation would provide for this revenue to be used for education. Senator Geller indicated in the affirmative. He further advised that there was a constitutional petition to bring only the slots to the para-mutuals to Dade and Broward County, which would come up before the Supreme Court for the wording in December. He believed there was a reasonable chance that if the wording were approved, it would probably pass on the 2004 ballot.

Vice-Mayor Starkey stated that she attended a PTA Advisory meeting the previous night and advised that Indian Ridge Middle School was discussing implementing double sessions, as the district would not fund an additional middle school. She asked Senator Geller if he would make any effort to repeal this. Senator Geller advised that there would be legislation which he would not support. He felt it was difficult to come up with numbers everyone could agree on regarding Florida's tax burden. Senator Geller elaborated further on Florida's tax position in relation to the rest of the country. He advised that Florida had a balanced budget amendment in its constitution and stated that about 55% of the State's budget was spent on education. Senator Geller elaborated on differences between the government bodies regarding available funds in the budget. He stated that Florida had given over \$10 billion in tax breaks over the past five years which went to major corporate industries. Senator Geller felt the voters of Florida expected that the class size amendment automatically meant the State would have to provide the funding.

Vice-Mayor Starkey stated that the PICO funding formula had not been reviewed or studied for 15-20 years. She felt this formula was one way to begin to address this issue. Senator Geller discussed how the rising costs affected available funding for increased student growth. He advised that the State had tried to cap the class size reduction money twice. Senator Geller pointed out that the amount of money put in with regard to class size reflected that less money was put in per student than the previous year. Vice-Mayor Starkey stated that students were being affected this current year and they would have to be housed in double sessions which was a not good quality of education. She pointed out various aspects of the Town's key quality of life issues which she felt needed to be addressed at the legislative level, as they were out of Town's control. Senator Geller stated that the education issue was partly at the State level and partly at the School Board level. He told Council that he was not happy with the School Board and felt they should not have cut their millage rate. Senator Geller advised that he came up with one source of \$2 million in revenue through the Department of Transportation and stated that more ideas were needed.

TOWN COUNCIL WORKSHOP
NOVEMBER 14, 2003

Vice-Mayor Starkey felt additional funding sources were not the solution, whereas adequately funded formulas were. She also mentioned the legislatively driven Nova Research and Development schools. Vice-Mayor Starkey felt that with the new school improvement teams, any school would be able to implement any kind of pilot program they wanted. She felt the Nova schools were no different from other County schools, yet spent \$8 million more in transportation costs. She reiterated that Davie had a classroom shortage and felt those schools should come back to the local communities. Vice-Mayor Starkey felt that if Senator Geller repealed the Research and Development schools from around the State, this action would take the burden off the school district - which actually favored change. Senator Geller advised that it was unlikely that the legislature would be passed at the State level to address a problem at a local level. Vice-Mayor Starkey pointed out that the State law created the problem. Senator Geller reiterated that there was very little chance that the legislature would change a State Statute because Broward's School Board was unwilling to stand up to the political pressures regarding this issue.

Councilmember Paul mentioned that the Town was greatly impacted by transportation issues. She was puzzled by the fact that millions of dollars were spent studying projects for roadway improvements, yet no funding was ever available for projects. Councilmember Paul referred to the proposed east-west transit system which would impact Davie. She asked if the legislature did not anticipate funding for proposed future projects, why were millions being spent on consulting fees to do planning, when the Town did not want any more roadwork done. Councilmember Paul asked Senator Geller if he anticipated these issues being funded in the future. Senator Geller felt the State was in the middle of a major financial crisis for which he did not see an immediate resolution and there was a conflict between the Senate and the Governor over what was adequate funding. He stated that the Senate's position was that the State did not have enough funds to run the State properly and in 2002, the Senate had suggested alternative measures to raise revenues for local government; however, the House did not approve those suggestions. Councilmember Paul indicated that in the previous year, the State had taken almost half a billion dollars from the Transportation and Affordable Housing Trust Funds to be used for general revenue, which resulted in the current lack of funds.

Vice-Mayor Starkey asked Senator Geller if he believed this problem might be due to term limits and inexperience of some House members who did not understand the problems related to social services over the past 20 years. Senator Geller believed term limits were a bad idea. He explained that the issues a candidate initially ran on eventually made for poor public policy during the political term, as it took 4 years or more to closely scrutinize and discover serious policy problems. Senator Geller stated that Florida did not originally require a high level of education as it formerly survived mainly on agriculture and tourism industries. He stated that Florida needed to upgrade its educational facilities in order to compete with other cities. Senator Geller pointed out that Florida was very low - ranking 50th in different areas of educational achievement nationwide.

Vice-Mayor Starkey stated that a lot of the problem stemmed from immigration issues. Senator Geller agreed and stated that the Medicaid budget was also depleting the State's funds. He advised that 65% of the Medicaid budget was spent on senior citizens and not on poor,

TOWN COUNCIL WORKSHOP
NOVEMBER 14, 2003

minority, single mothers as stereotypically thought. Senator Geller also advised that social services were among the lowest in the nation.

Councilmember Hubert asked about affordable housing. Senator Geller explained that one type of affordable housing was subsidized housing, while the other was workforce housing. He advised Council that since the State did not have enough money, the Senate had used funds from the Cultural Affairs Trust Fund, the Transportation Trust Fund, and the Affordable Housing Trust Fund.

Senator Geller stated that the Senate had two options: to raise revenue or cut services. He advised that on a 40-0 vote, everyone in the Senate voted to raise money, but Governor Bush and the House had said no to this recommendation.

Mayor Truex asked which tax plan would come up again. Senator Geller advised that the State's budget was approximately between \$50 and \$60 billion and explained that non-recurring revenue was used to pay recurring expenses. He felt the Senate would not consider any tax increases in the coming year because the Senate leadership was tired of making Senators vote for new taxes where there was no chance of them passing. Senator Geller advised that the business community was very much in favor of the Unified Tax Plan which would enable the State to collect taxes on Internet sales.

Mayor Truex explained that some vendors would try to sell out of the State to avoid these taxes. Senator Geller pointed out that most sales were done within the country.

Councilmember Hubert asked about raising the tax one penny. Senator Geller explained that the sales tax would be put on the same tax as personal income tax. He explained that Florida was one of the only seven states that did not collect personal income tax or inheritance tax. He advised that the problem with increasing sales tax was that it placed some merchants in north Florida in competition with Alabama and Georgia. He felt that one good method was to pass the Unified Sales Tax to raise about \$1 billion, \$2 billion from gambling and from some sales tax exemptions.

Vice-Mayor Starkey felt gaming could be taxed more as it was a luxury. Senator Geller advised that the Senate was willing to raise revenue and agreed that the State was underfunded. He indicated that he would vote for taxes to pay for more spending. Senator Geller was concerned about his colleagues who promised to increase spending on social services while cutting taxes, as he felt this was not honest.

Councilmember Paul advised Senator Geller that he would receive a package from the Florida Farm Bureau which contained resolutions that would assist Davie. She asked him to be aware of particular recommendations in favor of the equine industry when he received the package.

Councilmember Hubert again stated that the Town needed more affordable housing. Senator Geller agreed and explained how restrictions on building had caused housing costs to skyrocket. He felt that more affordable housing was needed, especially along the transportation corridors, or the working class would have nowhere to live.

There being no further business to discuss, the meeting adjourned at 1:52 p.m.

**TOWN COUNCIL WORKSHOP
NOVEMBER 14, 2003**

Approved _____

Mayor/Councilmember

Town Clerk